

NO. D-1-GN-18-006623

SCARLETT LEWIS,

Plaintiff,

v.

ALEX E. JONES, INFOWARS, LLC,
and FREE SPEECH SYSTEMS, LLC,*Defendants*§
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IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

98th JUDICIAL DISTRICT

**DEFENDANT INFOWARS, LLC'S RESPONSES TO PLAINTIFF'S
INTERROGATORIES, REQUESTS FOR ADMISSIONS
AND REQUESTS FOR PRODUCTION OF DOCUMENTS**

TO: Mark D. Bankston, Kyle W. Farrar and William R. Ogden, Kaster Lynch Farrar & Ball, LLP, 1010 Lamar, Suite 1600, Houston, Texas 77002

Pursuant to Rules 197.2, 198.2, and 196.2 of the Texas Rules of Civil Procedure, Defendant InfoWars, LLC provides the following responses to Plaintiff's Interrogatories, Requests for Admissions and Requests for Production of Documents.

REQUEST FOR ADMISSION NO. 1:

Admit that prior to responding to these discovery requests, you searched all documents in your possession or control that may contain responsive information.

RESPONSE:

Because of the volume of documents through which searches were required since this discovery was issued, Infowars and others exerted substantial efforts and resources to search for the requested documents but Infowars was not able to search all documents as requested. Those efforts are continuing. Accordingly this request is presently denied.

REQUEST FOR ADMISSION NO. 2:

Admit that InfoWars, LLC was involved in the creation, research, editing, marketing, funding, staffing, distribution, or publication of any of the articles or videos cited in the declaration of Brooke Binkowski, attached to Plaintiff's Motion for Expedited Discovery.

OBJECTION:

Defendant objects to this request because of the use of the word “involved” which makes the request vague and ambiguous.

RESPONSE:

Subject to these objections, this request is denied. This defendant is not active.

REQUEST FOR ADMISSION NO. 3:

Admit that between December 14, 2012 and October 26, 2017, InfoWars, LLC had the authority to remove content from InfoWars.com if InfoWars, LLC determined that the content violated the rights of others or was not appropriate for the website.

RESPONSE:

Denied.

INTERROGATORY NO. 1:

Identify all persons answering or supplying information used in answering these discovery requests and identify their job duties at InfoWars, LLC.

ANSWER:

Rob Drew & Tim Fruge. These individuals have no job duties at InfoWars, LLC.

INTERROGATORY NO. 2:

Describe the business purpose of InfoWars, LLC.

ANSWER:

None, other as described in Texas Secretary of State filings. See the attached produced documents.

INTERROGATORY NO. 3:

Describe all the ways in which InfoWars, LLC generates revenue.

ANSWER:

Infowars, LLC does not generate revenue.

INTERROGATORY NO. 4:

Identify every employee or agent of InfoWars, LLC who was involved in the creation, research, editing, marketing, funding, staffing, distribution, or publication of any of the articles or videos cited in the declaration of Brooke Binkowski, attached to Plaintiff's Motion for Expedited Discovery.

ANSWER:

None.

INTERROGATORY NO. 5:

Does InfoWars, LLC share office space with any other named party?

ANSWER:

No. Infowars, LLC has no office.

INTERROGATORY NO. 6:

Does InfoWars, LLC share common employees with any other named party?

ANSWER:

No.

INTERROGATORY NO. 7:

Has an employee or agent of InfoWars, LLC ever rendered services on behalf on any named other party, or has an employee or agent of any named party ever rendered services on behalf on InfoWars, LLC? Describe.

ANSWER:

No.

INTERROGATORY NO. 8:

Has InfoWars, LLC ever made an undocumented transfer of funds to any named party, or has any named party ever made an undocumented transfer of funds to InfoWars, LLC? Describe.

ANSWER:

No.

INTERROGATORY NO. 9:

For each person who had ownership interest in InfoWars, LLC between December 14, 2012 and October 26, 2017, state:

- a) their full name.
- b) the date(s) upon which the person acquired their ownership interest.
- c) the type of consideration paid or promised for the ownership interest and the date(s) on which it was paid or promised.
- d) the percentage of that individual's ownership interest.

- e) whether the person is related by blood or marriage to any other person who is or has been a shareholder, officer, or director of InfoWars, LLC or Free Speech Systems, LLC, and, if so, the identity of the other person and the nature of the relationship.

ANSWER:

- a) Alex Jones
- b) November 2007
- c) Money
- d) 100%
- e) N/A

INTERROGATORY NO. 10:

Identify each person who has served as an officer, director, or management-level employee of InfoWars, LLC at any time during the past six years.

ANSWER:

None.

REQUEST FOR PRODUCTION NO. 1:

An organizational chart for InfoWars, LLC as of October 26, 2017.

RESPONSE:

Responsive documents, if any, will be produced.

REQUEST FOR PRODUCTION NO. 2:

All contracts in effect between InfoWars, LLC and any other party.

RESPONSE:

None.

REQUEST FOR PRODUCTION NO. 3:

All incorporating documents for InfoWars, LLC, including article of incorporation, bylaws, certificate of incorporation, and notice of incorporation.

RESPONSE:

Responsive documents, if any, will be produced.

Dated: February 25, 2019.

MARK C. ENOCH, P.C.

/s/ Mark C. Enoch

Mark C. Enoch

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served upon the parties listed below via efile.txcourts.gov's e-service system on February 25, 2019:

Mark D. Bankston

Kyle W. Farrar

William R. Ogden

Kaster, Lynch, Farrar & Ball, LLP.

1010 Lamar, Suite 1600

Houston, Texas 77002

/s/ Mark C. Enoch

Mark C. Enoch

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98th JUDICIAL DISTRICT

VERIFICATION

STATE OF TEXAS §

§

COUNTY OF _____ §

Before me, the undersigned notary, on this day personally appeared Tim Fruge, as representative of Defendant Infowars, LLC, the affiant, a person whose identity is known to me. After I administered an oath to affiant, affiant testified as follows:

My name is Tim Fruge. I am the Free Speech Systems, LLC, Manager of Operations, and for purposes of these interrogatory responses serving as the representative of, Defendant Infowars, LLC. I am capable of making this verification. I have reviewed the document entitled Defendant Infowars, LLC's Responses to Plaintiff's Interrogatories, Requests for Admissions and Requests for Production of Documents, in the above-referenced lawsuit. The answers to the interrogatories stated in the document were derived from documents and to the best of my knowledge, the facts stated in the answers to the interrogatories to which this verification is attached are true and correct.

TIM FRUGE

SUBSCRIBED AND SWORN TO before me on the 25th day of February, 2019, to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

My Commission Expires:
